

BLM - Cedar City Field Office
Memo to the File

Date: August 27, 2003
From: Ed Ginouves, CCFO Mining Engineer
To: UTU-80508 - 5/001/033
UTU-72785 - 5/001/102
UTU-72213 - 5/001/037
Subject: Various File Updates

RECEIVED

MAY 14 2004

DIV OF OIL GAS & MINING

On August 27, 2003 I met with Mr. Bradshaw in the CCFO to discuss the status of several mine operations he was involved with on public lands.

UTU-72785, The Hilltop Project: Mr. Bradshaw told me he had received my letter of July 24, 2003 which transmitted a BLM bond estimate for the extended notice of \$2600. He said that he found the estimate acceptable and would make the necessary arrangements to post the bond.

UTU-72213, The White Elephant Project: Mr. Bradshaw asked what he needed to do to get the site authorized for mining. This project is a small mine operation that Mr. Bradshaw requested be extended under the new regulations, but no bond has been posted for the current unreclaimed disturbances made under the notice.

The responsibility for reclamation conducted under this notice is presently uncertain. There are two areas of disturbance covered by the notice, a white marble mine and a Picasso marble mine. The notice was originally authorized in 1995 with the operator / claimant being Mrs. Drucilla Bradshaw. The sites were covered by Division SMO permit S/001/037. Mrs. Bradshaw passed away in 2000. The Division fees for this site have not been paid for several years and recent correspondence from the Division indicates that they consider this S/001/037 permit non-functional and any activity at the site can only occur after a new permit is filed for. Mr. Bradshaw indicated that he had been willing to take over the former permit and notice held by his mother but his mother has transferred or willed the claims underlying the site to his sister Connie and has not been able to come to any arrangement with her to operate the site. Mr. Bradshaw has staked claims over the white marble mine area that appear to be senior in right, but is not the senior claimant over the Picasso site.

I told Mr. Bradshaw that it might be necessary to begin with a new authorization to cover mining activity at the white marble mine, and that this would have to be done through a plan of operations under the new regulations. I said that BLM would likely challenge any proposed plan to mine and sell the marble under the mining law as an uncommon variety decorative rock - that the marble would have to be marketed as sculpting or architectural marble to qualify as an uncommon variety. He said that that was his intent. I told Mr. Bradshaw to get the process going it would be necessary to have a defined plan submitted that met the requirements of the new 3809 regulations and that I could prepare such a plan, if necessary. He indicated that he wanted to get going on the process.

UTU-80508, Ranch Canyon Pumice: Mr. Bradshaw asked about the status of a \$5,000 bond Mr. Bradshaw had originally posted with SITLA, but the BLM had received from SITLA as part of receiving sec. 2, T. 28 S., R. 9 W. through the West Desert Land Exchange.

Mr. Bradshaw contends that these bond monies should be returned to him as they were originally posted with the State as part of larger plan to obtain authorization to mine State lands for pumice but that an

arrangement could never be reached and, because he never was issued an authorization, the monies should be returned to him.

I told Mr. Bradshaw I had reviewed the file material that SITLA had provided me with and it was my understanding that SITLA had required the \$5,000 bond to cover past disturbances made while the Bradshaw family had held SITLA leases, that they had never reclaimed. SITLA had apparently required that a bond be posted to cover the reclamation of these old unreclaimed disturbances before they would begin negotiations to authorize new operations on SITLA lands. I told Mr. Bradshaw that I had been to the site and examined the various disturbances the \$5,000 was to cover and it would be my recommendation to BLM management that they require Mr. Bradshaw to demolish the structures and remove trash, but that the mine disturbances were stable and naturally re-vegetated to the point that little would be gained by re-claiming these disturbances.

Mr. Bradshaw indicated that he would be willing to demolish and remove the structure and trash but that he would legally fight any attempt by BLM to require him to reclaim all the mine disturbances as a condition of bond release. I told Mr. Bradshaw that I would have to discuss this with local management but I would pass along his views on the matter.

State of Utah
Division of Oil Gas & Mining
Mining/Exploration Summary

05/17/2004

SMALL MINING OPERATION

Permt # **S010033**

Name: **BRADSHAW**

Permit Status

Status: **RET** Approved: **07/27/1995**
Recieved: **08/31/1994**
Tent Appr: **/ /**

Mine Status

Status: **[REDACTED]**
Date: **05/17/2004**

Ownership

Surface: **BLM**
Mineral: **BLM**

Location

UTMX: **340,652**
UTMY: **4,252,753**

Methods

Minerals Mined/Explored: **PUMICE**

Methods Used:

Surf/Under: **SURFACE**

Bonding

Approved Acres	Acres Released	Date Released
5	0	/ /
Bond Type		
N/A		
Bond Amount:	Date Bond Expires:	
\$ 0	/ /	

Permit Fees

Date Sent	Date Received
06/27/2003	/ /
Fee Received	Cash Receipt
\$ 0	
Deliquent Notice	
09/08/2003	

Comments:

5/17/2004 - Sent letter closing and retiring this file per BLM letters and inspection reports that the reclamation is satisfactory and they closed their file and authorized release of the \$5,000 CD held for this site.
5/14/2004 - Received (from BLM) copies of correspondence between BLM, SITLA & Mr. Bradshaw. A \$5,000 CD was originally posted with SITLA, but through a West Desert Land Exchange Act of 2000, the land and ultimately the CD were transferred to the BLM. On November 5, 2003 the BLM confirmed that all reclamation was satisfactorily completed and November 10, 2003, the BLM authorized Zions Bank to release the \$5,000 CD they held for this site back to Mr. Bradshaw.
9/8/2003 - Sent 2nd request for 2003 permit fees. **MINING IS SUSPENDED UNTIL FEE IS PAID.** Mining may resume once the fees are

Last Action

Action: **DELQ**

Start Date: **09/08/2003**

End Date: **/ /**

Delinquent Notice Sent

Last Inspection

Date **06/19/1995**

Inspector

Last Annual Report 1997

Acreage: **2.0**

Acr Reclaimed: **0.0**

Production: **, ,**

Last Agency Action

Agency: **BLM**

Agency ID: **UTU-72229**

Date: **/ /**

Operator BRADSHAW, NEIL

Oper Id: **114**

TaxID **529-58-8911**

Contact: **NEIL BRADSHAW**

Address: **9 NORTH COVE DR
PO BOX 1054
CEDAR CITY UT 84720**

Phone: **(435) 586-1175**

Fax **(435) 586-1175**

E-Mail

10/23/2003 - Mr. Bradshaw's home address: 9 North Cove Dr. Cedar City, UT 84720

Location

Qqqr	Qqtr	Qtr	Section	Township	Range	Merid	Quad Sheet
NE	NE	NE	02	S28.0	W09.0	S	
			01	S28.0	W09.0	S	
	W2	NW	26	S27.0	W09.0	S	
S2	SW	SW	36	S27.0	W09.0	S	
			35	S27.0	W09.0	S	
			34	S27.0	W09.0	S	



State of Utah

Department of
Natural Resources

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Oil, Gas & Mining

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Governor

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Lieutenant Governor

May 17, 2004

Neil Bradshaw
9 North Cove Drive
Cedar City, Utah 84720

Subject: Notice of File Closure for Small Mining Project, Bradshaw Perlite & Pumice Mine, S/001/033, Beaver County, Utah

Dear Mr. Bradshaw:

This letter is to notify you that the Division file, S/001/033, for the Bradshaw Perlite & Pumice small mining project, located in Beaver County, Utah, will now be closed.

On May 14, 2004, we received copies of correspondence, from the BLM, regarding the status of this site. This site was originally located on state lands managed by SITLA, but later transferred to the BLM through a West Desert Land Exchange Act of 2000, Public Law No 106-301. Included in the correspondence were letters and inspection reports from the BLM that the BLM found reclamation was satisfactory. On November 10, 2003, the BLM authorized Zions Bank to release the \$5,000 CD held for this site back to you. They subsequently closed their file for this project. As this project is located on BLM managed lands, **the Division will accept the BLM's recommendation and also close our file for this small mining project accordingly.**

You are hereby released by the Division from further mining or reclamation responsibilities at this site. You are not required to pay the \$150.00 permit fee as recently requested. If you wish to conduct any future mining related activity in this area, you will need to submit a new notice to the appropriate agency(s), pay the Division permit fee, and receive written approval(s), prior to creating any disturbance.

If you have any questions or concerns regarding this action, please contact me at (801) 538-5310. Thank you for your time and consideration in completing the required reclamation on this project.

Sincerely,

Tom Munson
Senior Reclamation Hydrologist

TM:jb

cc: Ed Ginouves, BLM, FO (UTU-80508)

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